

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS

June 17, 2008

3:30 P.M. SCHEDULED SESSION

3:30 P.M. MEETING COMMENCED

ROLL CALL: William Boyd, Joe Brown, Harold Collins, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Reid Hedgepeth, Myron Lowery, Bill Morrison, Jim Strickland, Barbara Swearengen Ware and Chairman Scott McCormick

**THE MEETING WAS CALLED TO ORDER
BY SERGEANT-AT-ARMS**

INVOCATION

The meeting was opened with prayer by Rev. Curtis Kittrell, from Olivet Fellowship Baptist Church. Councilwoman Halbert presented Rev. Kittrell with a certificate naming him Chaplain of the day.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

MINUTES

Approval of the Minutes of the regular meeting of June 3, 2008 with the following motion:

MOTION: Flinn
SECOND: Fullilove
AYES: Boyd, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Brown did not cast a vote

APPROVED

38. **RESOLUTION RECOGNIZING SFI OF TENNESSEE, PRIMARY SUPPLIER OF STEEL COMPONENTS FOR MINE RESISTANT AMBUSH PROTECTED (MRAP) VEHICLES WHICH ARE USED IN IRAQ AND AFGHANISTAN TO PROTECT OUR FIGHTING FORCES AGAINST IED'S (IMPROVISED EXPLOSIVE DEVICE) AND ROADSIDE BOMBS.**

Held to July 1, 2008

16. **RESOLUTION AWARDED CONTRACT FOR ONE CAB AND CHASSIS TO ALEXANDER FORD, LINCOLN MERCURY, INC. IN THE AMOUNT OF \$16,856.00.**

DROPPED

29. **RESOLUTION APPROVING A HOTEL WAIVER FOR HOLIDAY INN LOCATED AT 2240 DEMOCRAT ROAD.**

DROPPED

CONSENT AGENDA – Items 1-8 may be acted upon by one motion: SEE PAGE 2544 FOR ROLL CALL

1. **ORDINANCE TO AMEND THE CHARTER OF THE CITY OF MEMPHIS, THE SAME BEING CHAPTER 11 OF THE ACTS OF 1879, AS AMENDED, TO REINSTATE ARTICLE 27, SECTION 190, SUBSECTION B THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE 11 SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO REINSTATE THE RESIDENCY REQUIREMENT FOR PERSONS EMPLOYED SOLELY BY THE CITY AND TO SUBMIT THE PROPOSED ORDINANCE TO QUALIFIED VOTERS OF THE CITY OF MEMPHIS AT THE FIRST GENERAL STATE ELECTION TO BE HELD NOVEMBER 4, 2008, UP FOR F I R S T READING.**

Ordinance No. 5265

APPROVED, on First reading

2. **ORDINANCE TO AMEND THE CHARTER OF THE CITY OF MEMPHIS, SAME BEING CHAPTER 11 OF THE ACTS OF 1879 AS AMENDED, PURSUANT TO THE PROVISIONS OF ARTICLE 11 SECTION 9 OF THE CONSTITUTION OF THE STATE OF TENNESSEE HOME RULE AMENDMENTS SO AS TO PROVIDE FOR DISCLOSURE OF CERTAIN INFORMATION BY THOSE SEEKING ELECTED OFFICE AND TO SUBMIT THE PROPOSED ORDINANCE TO THE QUALIFIED VOTERS OF THE CITY OF MEMPHIS AT THE FIRST GENERAL STATE ELECTION TO BE HELD ON NOVEMBER 4, 2008, UP FOR F I R S T READING.**

Ordinance No. 5266

APPROVED, on First reading

3. **RESOLUTION APPROVING FINAL PLAT OF CORDOVA GROVE PLANNED DEVELOPMENT, PHASE 3.**

Case No. PD 03-303

Resolution approves the final plat located on the east side of Rogers Road, north of Macon Road. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

APPROVED

4. **RESOLUTION APPROVING FINAL PLAT OF GOODWILL ROAD DEDICATION.**

Case No. SAC 98-060

Resolution approves the final plat located north of Shelby Drive on Goodwill Road. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

APPROVED

5. **RESOLUTION ACCEPTING LAMAR CROSSING PD, PH. 1 AREA B, AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 06-313
(Contract No. CR-5075)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on Lamar Ave. east of Dunn Ave. The standard improvement contract was approved on May 18, 2007. Resolution also authorizes the release of the cashier's check in the amount of \$31,000.00.

City Engineer recommends approval

APPROVED

6. **RESOLUTION APPROVING FINAL PLAT OF UPTOWN REDEVELOPMENT S/D 18.**

Case No. S 05-078

Resolution approves the final plat located on the northside of Looney Ave., east of Sixth Street. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

APPROVED

7. **RESOLUTION APPROVING ENGINEERING PLANS OF WALNUT GROVE/HALL ROAD PLANNED DEVELOPMENT, AMENDED, PHASE 4 SEWER EXTENSION.**

Case No. PD 01-305cc

Contract No. CR-5110

Resolution approves the engineering plans located at the southwest corner of Houston Levee Road and Hall Road. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard sewer extension contract.

City Engineer recommends approval

APPROVED

8. **NOTATION FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

A. Case No. PD 08-311 – Skiff Mountain P.D.

Public Hearing set for July 1, 2008

ROLL CALL CONSENT ITEMS

MOTION: Flinn
SECOND: Fullilove
AYES: Boyd, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Brown and Collins did not cast a vote

APPROVED

MLGW FISCAL CONSENT – Items 9, 11-15 & 17-18 may be acted upon by one motion:

9. **RESOLUTION AWARDED CONTRACT NO. 11281, MAINTAINING MLGW ARCHIVAL DOCUMENTS, TO VITAL RECORDS CONTROL IN THE FUNDED AMOUNT OF \$28,269.00.**

APPROVED

10. **RESOLUTION APPROVING THE SELECTION OF NEPC, LLC, AS INVESTMENT MANAGEMENT CONSULTANT FOR BENEFIT OF THE MLGW RETIREMENT AND PENSION FUND, IN THE AMOUNT OF \$249,000.00 PLUS TRAVEL, UNDER CONTRACT NO. 11295.**

Held to July 1, 2008

11. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 10912, CARPET CLEANING AND MAINTENANCE, WITH KENNY FLOOR COVERING, INC. IN THE FUNDED AMOUNT OF \$10,494.54. (THIS EXTENDS THE CURRENT CONTRACT FOR A 90-DAY PERIOD, MAY 29, 2008 TO AUGUST 29, 2008.)**

APPROVED

12. **RESOLUTION APPROVING CHANGE NO. 6 TO CONTRACT NO. 11208, WATER PRODUCTION WELL, WITH LAYNE-CENTRAL IN THE FUNDED AMOUNT NOT TO EXCEED \$79,100.00. (THIS COVERS SURFACE CASING FOR THE THREE WELLS REMAINING ON THIS CONTRACT, AND COVERS ADDITIONAL STRAINERS, BLANK STRAINERS AND CONCRETE PLUGS.)**

APPROVED

13. **RESOLUTION AWARDED CONTRACT FOR PNEUMATIC TAMPING RAMMERS TO CONSOLIDATED PIPE & SUPPLY COMPANY IN THE AMOUNT OF \$26,280.00.**

APPROVED

14. **RESOLUTION AWARDED CONTRACT FOR GAS PIPE, FITTINGS AND VALVES TO:**

Supply Line of Memphis.....	\$24,555.76
Cameron c/o Ed Young Sales.....	<u>12,738.00</u>
Total.....	\$37,293.76

APPROVED

15. **RESOLUTION CANCELING PURCHASE ORDER NO. 128388 WITH AMERICAN LIGHTING & SUPPLY COMPANY, INC. FOR LAMPS, AND AWARDED CONTRACT TO GRAYBAR ELECTRIC COMPANY, INC. IN THE AMOUNT OF \$393,883.28.**

APPROVED

17. **RESOLUTION AWARDED CONTRACT FOR CABS AND CHASSIS TO CROSSROADS FORD IN THE AMOUNT OF \$240,950.00.**

APPROVED

18. **RESOLUTION APPROVING THE SUM OF \$37,500.00 TO SUPPORT THE MEMPHIS YOUTH LEADERSHIP PROGRAM, AN EIGHT-WEEK SUMMER PROGRAM SPONSORED BY THE WORKFORCE DEVELOPMENT DIVISION OF THE MEMPHIS REGIONAL CHAMBER AND THE MEMPHIS CHALLENGE, A LOCAL NOT-FOR-PROFIT ORGANIZATION.**

APPROVED**MLGW ROLL CALL CONSENT ITEMS**

MOTION: Ware
SECOND: Boyd
AYES: Boyd, Collins, Flinn, Ford, Halbert, Lowery, Morrison, Strickland, Ware and
Chairman McCormick
Brown, Fullilove and Hedgepeth did not cast a vote

APPROVED, as amended, items 9, 11-15 & 17-18. Item #16 was dropped and Item #19 was voted on separately

MOTION: Ware – Pull Item #19 and vote on it separately

19. **RESOLUTION GIVING CONTRACT AUTHORITY TO MLGW'S GENERAL COUNSEL FOR A CLAIMS SETTLEMENT.**

MOTION: Flinn
SECOND: Boyd
AYES: Collins, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison, Strickland and
Chairman McCormick
NAYS: Fullilove and Ware
Boyd recused
Brown did not cast a vote

APPROVED, set up as Special Item #1 (This item was voted on separately)

20. **APPOINTMENTS**

Memphis and Shelby County Groundwater Control Board

Appointment

Scott Morgan

Memphis Public Library and Information Center Board of Trustees

Appointments

Dorothy L. Boggan
Margaret McLean
Ruby J. Payne
Hallee O. Robinson

MOTION: Flinn

SECOND: Ware
AYES: Boyd, Brown, Collins, Flinn, Fullilove, Halbert, Lowery, Morrison, Strickland,
Ware and Chairman McCormick
Ford recused
Hedgepeth did not cast a vote

APPROVED

21. **ORDINANCE TO AMEND CHAPTER 25, CODE OF ORDINANCES, CITY OF MEMPHIS, SO AS TO INCREASE PENSION BENEFITS ALLOWABLE UNDER SECTION 25-95 AND SECTION 25-195, UP FOR T H I R D AND F I N A L READING.**
Ordinance No. 5264

MOTION: Flinn
SECOND: Boyd
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,
Morrison, Strickland, Ware and Chairman McCormick

APPROVED

22. **RESOLUTION TRANSFERRING \$90,000.00 FROM CITY COUNCIL TO THE CITY ATTORNEY TO COVER CHARTER COMMISSION LEGAL FEES.**

MOTION: Flinn
SECOND: Fullilove
AYES: Boyd, Collins, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland,
Ware and Chairman McCormick
Brown and Hedgepeth did not cast a vote

APPROVED

39. **RESOLUTION COMMEMORATING THE HEROIC ACTIONS OF MR. TOM LEE ON MAY 8, 1925.**

MOTION: Ware
SECOND: Brown

APPROVED, by unanimous voice vote

23. **RESOLUTION AMENDING THE MONTHLY PREMIUMS COSTS OF THE BENEFITS PLAN FOR ACTIVE AND RETIRED PARTICIPANTS AS WELL AS REDUCE THE OPEB (OTHER POST RETIREMENT BENEFITS) OBLIGATION.**

MOTION: Halbert
SECOND: Flinn

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick

APPROVED

24. **RESOLUTION APPROVING PURCHASE OF MEDICARE COVERAGE FOR ELIGIBLE EMPLOYEES OF MLGW, WHOSE DATE OF HIRE IS PRIOR TO APRIL 1, 1986, IN AN ESTIMATED AMOUNT OF \$2,500,000.00 TO \$7,500,000.00 ONE TIME, DEPENDING ON PARTICIPATION, AND AN ESTIMATED AVERAGE OF \$300,000.00 PER YEAR GOING FORWARD, FOR APPROXIMATELY 10 YEARS. THE BENEFIT OF MLGW IS THAT THE MEDICAL PLAN IS EXPECTED TO SAVE FROM \$25,000,000.00 TO \$30,000,000.00 OR GREATER WHEN THE AFFECTED PARTICIPANTS UTILIZE THE PURCHASED MEDICARE BENEFITS UPON RETIREMENT AND ATTAINMENT OF AGE 65; AND ULTIMATELY REDUCES MLGW'S OTHER POST EMPLOYMENT BENEFIT (OPEB) COSTS, CONTRIBUTES INDIRECTLY TO MLGW'S EFFORTS TOWARD VIABLE HUMAN RESOURCE RETENTION AND THE COMPANY'S KNOWLEDGE TRANSFER STRATEGY, WHILE THE EMPLOYEE ENJOYS A WIDER UMBRELLA OF MEDICAL COVERAGE UPON RETIREMENT.**

MOTION: Ware

SECOND: Boyd

AYES: Boyd, Brown, Collins, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Flinn did not cast a vote

APPROVED

25. **RESOLUTION APPROVING PERSONS EMPLOYED WITH THE CITY'S DIVISION OF POLICE SERVICES AFTER THE DATE OF THIS RESOLUTION, ARE HEREBY EXEMPTED FROM THE RESIDENCY PROVISIONS OF THE MEMPHIS CITY CHARTER AND ARE HEREBY ALLOWED TO RESIDE WITHIN TWENTY (20) MILES OF THE COUNTY LINE OF SHELBY COUNTY, TENNESSEE; AND PROVIDED EACH NON-RESIDENT SO EMPLOYED AGREES TO PAY AN ANNUAL FEE OF \$1,200.00 TO BE DEDUCTED BY PAYROLL ON A MONTHLY BASIS, FOR AS LONG AS EACH PERSON RESIDES OUTSIDE OF THE CITY AND FOR AS LONG AS EACH SUCH PERSON IS SO EMPLOYED BY THE CITY.**

Chairman McCormick recognized the following persons from the audience:

O'Rane M. Cornish, 4791 Tchulahoma, Mphs, TN 38118
De'Ke Pope, 4992 Autumnwood Dr., Mphs, TN 38116
J. D. Sewell, 638 Jefferson Ave., Mphs, TN 38105
Min. Suhkara A. Yahweh, 775 Porter St., Mphs, TN 38126

MOTION: Collins – Table for two weeks

Without Objection, item will be held for two weeks

26. **RESOLUTION APPROPRIATING \$79,875.00 (50% OF \$159,750 OF CONTRACTS AWARDED) FOR FISCAL YEAR 2008 CIP PROJECT PS01018 CONVENTION CENTER MAIN HALL UPGRADES. THIS RESOLUTION FUNDS THE CLEANING AND DIAMOND POLISHING OF THE 125,000 SQUARE FOOT MAIN EXHIBIT HALL AND ALSO PAINTING THE INTERIOR PERIMETER. RESOLUTION ALSO REALLOCATES THE EXPENSE TYPE FROM CAPITAL CONSTRUCTION TO OTHER COSTS.**

MOTION: Brown

SECOND: Ware

AYES: Boyd, Brown, Collins, Flinn, Fullilove, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick
Ford and Halbert did not cast a vote

APPROVED

27. **RESOLUTION AMENDING THE FISCAL YEAR 2008 CAPITAL IMPROVEMENT BUDGET BY APPROPRIATING \$3,200,000.00 FUNDED BY GO BONDS – GENERAL IN STREET MAINTENANCE BUILDING RELOCATION, PROJECT NUMBER PW01168 FOR THE RELOCATION OF THE STREET MAINTENANCE BUILDING.**

MOTION: Morrison

SECOND: Boyd

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick

APPROVED

28. **RESOLUTION APPROVING A HOTEL WAIVER FOR ROYAL INN & SUITES LOCATED AT 3685 AMERICAN WAY. (Held from 5/20)**

MOTION: Hedgepeth – Hold for two weeks

SECOND: Flinn

APPROVED, by unanimous voice vote

30. **RESOLUTION AUTHORIZING THE APPLICATION TO THE FEDERAL FOREIGN-TRADE ZONES BOARD FOR FOREIGN-TRADE SUBZONE STATUS FOR BLACK & DECKER CORPORATION IN JACKSON, TENNESSEE. THE CITY OF MEMPHIS IS DESIGNATED GRANTEE OF FOREIGN-TRADE ZONE NUMBER 77. RESOLUTION FURTHER AUTHORIZES THE MAYOR OF THE CITY OF MEMPHIS TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE SUBMISSION OF THE SUBZONE APPLICATION.**

MOTION: Collins
SECOND: Ford
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,
Morrison, Strickland, Ware and Chairman McCormick

APPROVED

31. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE NORTH SIDE OF INDEPENDENCE RD; ± 250 FT. EAST OF WOODSTOCK-CUBA ROAD, CONTAINING 10,000 SQ. FT. LEASED PARCEL IN 11.97-ACRE TRACT IN THE FLOODWAY (FW) AND AGRICULTURAL (AG) DISTRICT.**

Case No. SUP 08-207cc

Applicant: Global Tower, LLC
Gloria Allmond, Baran Telecom Inc. – Representative

Request: 195-foot CMCS monopole cell tower

LUCB and OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

MOTION: Lowery
SECOND: Morrison
AYES: Boyd, Brown, Collins, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,
Strickland, Ware and Chairman McCormick
Flinn recused

APPROVED

32. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTH SIDE OF HOLMES ROAD & EAST SIDE OF AIRWAYS BLVD.; APPROXIMATELY 360 FEET EAST AND 855 FEET SOUTH OF THE INTERSECTION OF HOLMES ROAD AND AIRWAYS ROAD, CONTAINING 77.76 ACRES IN THE LIGHT INDUSTRIAL (I-L) DISTRICT.**

Case No. SUP 08-215

Applicant: Hillwood Investment Properties, dba
LMO Investments, LLC

Homer Branan – Representative

Request: Office & Distribution Service Center

LUCB and OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

MOTION: Lowery
SECOND: Hedgepeth
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,
Morrison, Strickland, Ware and Chairman McCormick

APPROVED

33. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE NORTHEAST SIDE OF LAMAR AVENUE (U.S. 78) AT DUNN AVENUE, CONTAINING 2.0 ACRES IN THE HIGHWAY COMMERCIAL (C-H) DISTRICT.**
(Held from 5/20)

Case No. SUP 08-208

Chairman McCormick recognized the following persons who spoke from the audience:

Rev. Patrick L. Lewis, Sr., 3555 Northmoor, Mphs, TN 38128
Evan Nahmias, 490 Berkley Square, Mphs, TN 38120
Sam Patel, 4060 Lamar Ave., Mphs, TN 38114
John Winder, 6529 Imperial Oak Cv., Mphs, TN 38115

Applicant: Jatin Kumar
Architecture Interiors-Planning – Representative

Request: Special Use Permit to allow a new motel building

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery
SECOND: Morrison
AYES: Boyd, Collins, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland,
Ware and Chairman McCormick
NAYS: Brown
Hedgepeth recused

APPROVED

34. **RESOLUTION APPROVING AN APPEAL LOCATED ON THE SOUTHEAST CORNER OF WALNUT GROVE AND BRIERVIEW STREET AND CURRENTLY GOVERNED BY PD 82-016.**

Case No. PD 82-016

Chairman recognized the following persons who spoke from the audience:

Nick Crafton, 5890 Brierfield Ave., Mphs, TN 38120
Jesse Blumenfeld, 5914 Brierfield, Mphs, TN 38120
Pattie Crafton, 5890 Brierfield Ave., Mphs, TN 38120

Applicant: Baptist Memorial Hospital, Inc.

Appellants: Nicholas and Pattie Crafton

Request: Overturn the action of the Land Use Control Board on 03/13/08 which approved the request of Baptist Memorial Hospital to modify the west building setback of the Baptist Memorial Hospital East Planned Development from 165 feet to 135 feet for an expansion of the emergency room and relocate an existing berm to within the 50-foot wide required landscaping area with a fence to be located on top of the berm

LUCB and OPD recommendation: Approval of the requested modifications by Baptist Memorial Hospital

MOTION: Lowery

SECOND: Hedgepeth

NAYS: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick

FAILED

35. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE EXTENDING NORTH AND SOUTH; BETWEEN W. CAROLINA AVENUE AND RAILROAD AVENUE, CONTAINING 10,800 SQUARE FEET AND 30' X 360' IN THE BLUFFVIEW RESIDENTIAL (R-B) DISTRICT.**

Case No. SAC 07-603

Applicant: Newsom Enterprises, LLC
Homer Branan, Atty. – Representative

Request: Close & Vacate Street Right-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Hedgepeth

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick

APPROVED

36. **RESOLUTION APPROVING A USE VARIANCE LOCATED ON THE NORTH SIDE OF CRESTVIEW ROAD, 515 FEET EAST OF BARTLETT ROAD INTERSECTION, CONTAINING 3.0 ACRES IN THE SINGLE FAMILY RESIDENTIAL DUPLEX (RS-8) DISTRICT.**

Case No. UV 08-01

Chairman McCormick recognized the following persons who spoke from the audience:

Beth Brooks, 2299 Union Avenue, Mphs, TN 38104
 Mark Culver, 5558 Crestview, Mphs, TN 38134
 Jack Menne, 5580 Crestview, Mphs, TN 38134
 Maurine Menne, 5684 Crestview Dr., Mphs, TN 38134
 Gail Woods, 5587 Crestview Dr., Mphs, TN 38134

Applicant: Mark C. Culver

Request: Use variation for a contractor's parking (trucks and trailers)

LUCB and OPD recommendation: REJECTION

Friendly Amendment: If Mr. Culver ever leaves the property the new owner will have to come back before Council

MOTION: Hedgepeth

MAIN MOTION: Lowery

SECOND: Morrison

AYES: Boyd, Collins, Flinn, Ford, Hedgepeth, Lowery, Morrison, and Chairman McCormick

NAYS: Brown, Fullilove, Halbert, Strickland and Ware

APPROVED, as amended

37. **RESOLUTION TO TRANSFER THE HIRING PROCESS OF POLICE OFFICERS TO THE HUMAN RESOURCES DIVISION.**

MOTION: Halbert

SECOND: Ware

MOTION: Hedgepeth – Send back to Committee

SECOND: Flinn

MOTION: Collins – I would respectfully ask the maker of the motion to withdraw the motion so we can debate the issue to see if we really need to send it back to Committee

The maker of the motion stated that he would not withdraw his motion

AYES: Boyd, Flinn, Ford, Fullilove, Hedgepeth, Morrison, Strickland, Ware and Chairman McCormick

NAYS: Brown, Collins, Halbert and Lowery

Chairman McCormick stated that this item would go back to Executive Committee

APPROVED, item will go back to Executive Committee

Chairman McCormick recognized the following persons who spoke from the audience:

William Abresch, 7204 Highway 178, 38654
Walter Broady, 4256 Ledbetter, Mphs, TN 38109
Martha Burkhead, 184 S. Willett, Mphs, TN 38104
Sarah Carter, 2100 Curry, Mphs, TN 38108
Susan Carter, 5329 Laurie Lane, Mphs, TN 38120
Sue Collier, 3885 Tessland Rd., Mphs, TN 38128
Lauren Cox, 4130 Village, Mphs, TN 38117
Leslie Fargotstein, 34 E. Yates Rd. S., Mphs, TN 38120
Stephanie Gatewood, 4074 Stowe, Mphs, TN 38128
Eric Gottlieb, 250 Buena Vista Pl., Mphs, TN 38122
Michelle Harkavy, 1461 Kirby Rd., Mphs, TN 38120
Fleming J. Ivory, 1891 S. Third St., Mphs, TN 38134
Roberta Mack, 873 N. Manassas, Mphs, TN 38107
Betty Mallot, 7495 Wood Rail Cv., Mphs, TN 38119
Robin Mayweather, 4021 Lucinda, Mphs, TN 38125
Edith McCurdy, 978 River Breeze Dr., Mphs, TN 38103
Denozannia Moore, 5254 Chatfield Dr., Mphs, TN 38116
Jeanne Moses, 980 Galloway Ave., Mphs, TN 38105
Tony Nicholson, 4161 Hallview Dr., Mphs, TN 38128
Thomas Parcell 93 Jessie Cv., Atoka, TN 38004
Charles Scott, 3689 Huckleberry St., Mphs, TN 38116
Phil Vanch, 3083 Bluefield, Mphs, TN 38128
Rob Wade, 4840 Fleetgrove Ave., Mphs, TN 38117
Jennifer Walker, 2062 Jamie Dr., Mphs, TN 38116
Jeff Warren, 215 Buena Vista, Mphs, TN 38112
L. A. Watts, 767 Kentucky, Mphs, TN 38106

ADJOURNED MEETING AT 8:50 P.M.

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

C H A I R M A N

Attest:

Deputy Comptroller/Council Records